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REMARKS

Reconsideration and allowance of the captioned application in view of the foregoing amendments and the remarks that follow is respectfully requested. These comments are intended to advance the case to issue without delay. The claims in the application were 1-27. By this amendment, claims 1, 4-15 and 19-20 were amended. No claims have been cancelled or added. Accordingly, the claims in the application remains claims 1-27.

Claims 1-27 have been rejected under 35 USC §112, second paragraph as being indefinite for having the phrase "characterized". It is respectfully submitted that this objection has been obviated by the above amendments to claims 1, 4-15 and 19-20 which change the language "characterized" to "wherein". Therefore, withdrawal of this objection is respectfully requested.

Claims 1-4 and 6-27 have been rejected under 35 USC §103(a) as being unpatentable over Hayes et al. (US 4,405,482). In the Office Action, it is asserted that Hayes et al. teaches a sanitizing formulation used in napkins comprising DTPA and that the composition acts as an antimicrobial agent. The Office Action concedes that Hayes et al. does not teach the instant amounts/ratio of ingredients of the instant invention.

It is the position of the Office Action that one of ordinary skill in the art would have been motivated to determine the optimum amounts through routine experimentation in order to develop the most effective composition. In fact, one of ordinary skill in the art on viewing Hayes et al. would not be led to arrive at the instant invention. The Hayes et al. reference is not relevant prior art to the present invention. The present invention concerns particular salts of transitional metal chelators. Hayes et al. does not disclose salts of chelators and contains nothing to suggest that the particular transition metal salts of the present invention would have the benefits indicated. Accordingly, Hayes et al. does not make the present

invention as recited in claims 1-27 obvious. Consequently, withdrawal of this rejection under 35 USC §103(a) is respectfully requested.

Claim 5 has been objected to as being dependent upon a rejected base claim. As discussed above, applicants have traversed the rejection of the base claim. Accordingly, it is respectfully requested that this objection be withdrawn.

The Office Action notes that the application folder indicates that an IDS and references have been filed but cannot be located. Accordingly, applicants provide herewith a copy of the IDS (and references) that was previously filed on May 4, 2001. Applicants are also filing a Supplemental IDS along with this response to the Office Action.

In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claims 1, 4-15 and 19-20 have been amended as follows:

1. (Amended) An anti-microbial composition for use on the outer surface of the human body or on apparel worn in close proximity thereto comprising a carrier material and a salt of a transition metal chelator comprising a transition metal chelator anion and an organic cation, ~~characterised in that~~ wherein the cation comprises a protonated or quaternised amine, other than triisopropanolamine, containing 0 to 3 hydroxyl groups per N-substituent and at least one N-substituent comprising a C_1-C_{10} terminal hydrocarbyl group.

4. (Twic Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein the cation of the chelator salt is a protonated amine.

5. (Amended) An anti-microbial composition according to claim 4, ~~characterised in that~~ wherein the cation of the chelator salt is protonated 2-amino-2-methyl-1-propanol, cyclohexylamine, diisopropanolamine, or 2-aminobutan-1-ol.

6. (Twice Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein the organic cation is present at a level sufficient to neutralise at least 60% of any acid groups on the acid form of the chelator anion.

7. (Twice Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein the organic cation is present at a level sufficient to lead to an aqueous solution of the chelator salt having a pH of between 6 and 8 (at a molar concentration of chelator salt equal to that present in the composition).

8. (Twice Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein the anion of the transition m tal chelator salt has affinity for iron (III).

9. (Twice Amended) An anti-microbial composition according to claim 8, ~~characterised in that~~ wherein the anion of the transition metal chelator salt has a binding coefficient for iron (III) of greater than 10^{26}.

10. (Twice Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein the transition metal chelator salt is a polyaminocarboxylic acid salt.

11. (Amended) An anti-microbial composition according to ~~any of the preceding claims~~ claim 1, ~~characterised in that~~ wherein the anion of the transition metal chelator salt has an acid form comprising at least five acid groups.

12. (Amended) An anti-microbial composition according to claim 10, ~~characterised in that~~ wherein the transition metal chelator salt is a diethylenetriaminepentaacetic acid salt.

13. (Twice Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein less than 50% by weight of water is present in the composition, excluding any volatile propellant that may be present.

14. (Amended) An anti-microbial composition according to claim 13, ~~characterised in that~~ wherein the ratio of other liquid components to water is greater than 65:35 by weight.

15. (Twice Amended) An anti-microbial composition according to claim 1, ~~characterised in that~~ wherein the chelator salt is present at a concentration of 0.01% to 10% by weight, excluding any volatile propellant present.

19. (Amended) An anti-microbial composition according to claim 18, ~~characterised in that~~ wherein the additional anti-microbial agent is a cationic bactericide.

20. (Amended) An anti-microbial composition according to claim 19, ~~characterised in that~~ wherein the additional anti-microbial agent is an organic cationic bactericide.